

Exhibit 5

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Priorities USA, Rise, Inc., and the
Detroit/Downriver Chapter of the A.
Philip Randolph Institute,

Plaintiffs,

v.

Dana Nessel, in her official capacity as
Attorney General of the State of
Michigan,

Defendant.

NO. 19-13341

JUDGE MARK A GOLDSMITH

MAGISTRATE R. STEVEN
WHALEN

**DECLARATION OF ANDREA
HUNTER IN SUPPORT OF
PLAINTIFFS' MOTION FOR A
PRELIMINARY AND
PERMANENT INJUNCTION**

I, Andrea Hunter, declare as follows:

1. My name is Andrea Hunter. I am currently the President of the A. Philip Randolph Institute's Detroit/Downriver Chapter, as well as President of United Steelworkers Local 1299.

2. The A. Philip Randolph Institute (APRI) is the senior constituency group of the AFL-CIO. APRI was founded in 1965 by A. Philip Randolph and Bayard Rustin to fight for human equality and economic justice and to seek structural changes through the American democratic process. The Detroit/Downriver Chapter of APRI serves the Downriver and Detroit areas of Michigan.

3. APRI members are involved in voter registration, political and community education, lobbying, legislative action and labor support activities.

4. Voting rights are central to our efforts and are the only way to ensure that people have an opportunity to have a say in their governments and communities.

5. Making sure that voters actually cast their ballots, either at the polls on election day or through absentee voting, is incredibly important to the APRI and to me individually. Voter registration does not mean anything if the people who are registered to vote don't vote. Elections can bring change, but votes are needed to make that change. Accordingly, the APRI Detroit/Downriver chapter works to encourage people to vote through informational campaigns and helping make plans for voters to cast their ballots, either at the polling place on election day or through absentee voting.

6. The APRI Detroit/Downriver Chapter is very active in helping to transport voters to the polls. We have run our voter transportation program for every election over the last six years and plan to continue to transport voters to the polls in upcoming elections.

7. We are a membership organization, and our dues paying members will work on election days to transport voters to the polls. Members will often use their own cars to transport voters to the polls, but on occasion the Laborers Union Local

1191 will donate vehicles like busses for election day only for our members to transport voters to the polls.

8. Our voter transportation work is especially important here in Michigan because of the transportation situation. It is very difficult for the average worker to have private transportation. Here in Michigan, we have one of the highest rates of car insurance in the nation, especially for people under 25. We recently looked at the cost of car insurance for a 2010 Ford Escape—a 10-year-old car—and in some instances, insurance ran up to \$450 a month. With rates like this, it's no surprise that a large number of people, especially young people who have difficulty paying for insurance, rely on public transportation or Uber/Lyft.

9. But public transportation is not reliable in the Motor City. This is why our work transporting voters to the polls on election day is very important. For example, your average hourly worker without a personal vehicle will take the bus to work and will also take the bus to their polling place. Unlike union workers who may get election day off, these hourly workers need to take time out of their day to vote, and that time can substantially impact their paycheck if you add a long bus ride to long lines at the polls or have a glitch with the computer systems like we had in 2016. Many people will just get out of line and go to work. By directly transporting people to the polls and cutting down on their travel times, we help more of those voters stay in line.

10. We not only drive voters to the polls, we also drive them to work or wherever they need to go after voting. Most of the time, when we drive people to the polls, we end up driving to work when they are done voting, and the time this saves them helps them exercise their right to vote.

11. Based on our work in the community and experience with voter transportation, APRI Detroit/Downriver has established relationships with individuals who make up our entire community, including the youth, the elderly, and individuals with disabilities. We have provided individuals from all of those categories with rides to the polls and hope to increase the number of voters that we transport to the polls in the future.

12. It is my understanding that Michigan Compiled Law § 168.931(1)(f), or the Voter Transportation Ban, makes it a misdemeanor to hire transportation to take voters to the polls.

13. If my understanding of the Voter Transportation Ban is correct, it stands in the way of APRI Detroit/Downriver's mission of increasing the number of voters that we transport to the polls in the future so because it takes certain options for increasing capacity to provide additional rides off the table. Nothing should stand in the way of an eligible voter exercising their right to vote.

14. If APRI Detroit/Downriver were to receive monetary donations towards our election day voter transportation projects, I would want to use them to

increase the number of people we bring to the polls and speed up the voting process by adding even more drivers and vehicles. But it is my understanding that the Voter Transportation Ban would limit our ability to spend any money to make these improvements.

15. More specifically, it is my understanding that the Voter Transportation Ban would not allow APRI Detroit/Downriver to rent vehicles such as passenger vans to transport voters to the polls, even if the drivers were volunteers. It is also my understanding that the Voter Transportation Ban would not allow APRI Detroit/Downriver to pay drivers or provide them with a stipend to transport voters to the polls. Finally, it is my understanding that APRI would not be able to use money to partner with company like Uber or Lyft, which many youths in our community use, to provide voters with free rides to the polls.

16. In addition to providing rides to the polls, APRI Detroit/Downriver has also historically been very involved with encouraging individuals to vote via absentee ballot and helping them fill out their absentee ballot applications. Those individuals have included people who work in one area of the state but live and are registered to vote in another. It has also included college students who might attend school in the Detroit area, but maintain their home address in another part of the state as their address of registration. If you attend college in Detroit but are registered to vote in the Upper Peninsula, you're not going to travel home to cast

your ballot on election day. We have worked to educate and assist individuals with requesting absentee ballots so that they would be able to exercise their fundamental right to vote. This has been especially true for our college kids.

17. Now that Proposal 3 has expanded the number of people eligible to absentee vote, APRI Detroit/Downriver intends to expand its absentee ballot application education and assistance efforts.

18. Specifically, APRI Detroit/Downriver plans to (a) educate individuals throughout our community about their ability to apply to vote via absentee ballot in upcoming elections and (b) provide assistance with those applications. For example, there are large Spanish- and Arabic-speaking populations in our community, and we have members who speak those languages. APRI Detroit/Downriver plans to go into those communities and educate individuals about the absentee ballot application process in their own language, as well as offer assistance with filling out and returning the absentee ballot applications.

19. It is my understanding that Mich. Comp. Law § 168.759(4), (5), and (8), or the Absentee Ballot Organizing Ban, would criminalize at least some of the activities that the APRI Detroit/Downriver chapter would engage in, but for this law, with respect to encouraging and assisting members of the community with absentee ballot applications.

20. In addition to APRI's dues-paying members, a special group of individuals also work to carry out the APRI Detroit/Downriver chapter's mission: youths who have aged out of the foster care system. APRI Detroit/Downriver has made these former foster children a part of our family. Like our members, these former foster children also participate in activities like encouraging college students to register to vote and to vote. I tell them the same thing that I tell my child: It's your obligation to your community to be an active part of the community. And because these children are a part of the APRI Detroit/Downriver community, we help provide them with support that they may not have because of their family situations. Specifically, we provide them with a get-out-the-vote stipend and other payments in recognition of their contributions to the community and the work that they do, generally.


21. It would be devastating if any of APRI Detroit/Downriver's dues-paying members or the former foster children who we have welcomed into our community were arrested or faced criminal charges under the Voter Transportation Ban or the Absentee Ballot Organizing Ban for simply encouraging and helping individuals to exercise their right to vote. Accordingly, we are being careful not to ask anyone to violate these laws, and we have to spend time and resources educating our members and volunteers about these laws.

22. But it can be difficult for us to provide clear answers about what the law allows, particularly the Absentee Ballot Organizing Ban. When we inform community members about their new ability to apply for absentee ballots, are we allowed to encourage them to complete an absentee ballot application so that they can be sure to have the ability to make their vote count? May we offer to assist them with filling out the absentee ballot applications? May we offer to return completed absentee ballot applications? Are the answers to any of these questions different if the individual applying for an absentee ballot has a disability or cannot understand English?

23. As long as the Voter Transportation Ban and Absentee Ballot Organizing Ban remain in place, they work to keep registered voters from voting and frustrate APRI's mission of seeking structural changes through the American Democratic Process.

I certify under penalty of perjury and pursuant to the laws of the United States that the preceding is true and correct.

Executed on January 28, 2020.

By: 
Andrea Hunter/President
Detroit/Downriver A. Philip Randolph Institute